



California Regional Water Quality Control Board

Lahontan Region



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<http://www.waterboards.ca.gov/lahontan>

Matthew Rodriquez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

September 30, 2011

Interested Parties

REQUEST FOR PUBLIC COMMENT ON PROPOSED AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LAHONTAN REGION: PESTICIDE PROHIBITION WITH EXEMPTION CRITERIA, REVISED DRAFT

The Lahontan Regional Water Quality Control Board (Water Board) is proposing to amend the Water Quality Control Plan for the Lahontan Region (Basin Plan) by replacing the existing regionwide pesticide water quality objective, which essentially prohibits pesticide application to water, with a regionwide waste discharge prohibition on pesticides in water with exemption criteria for application of aquatic pesticides to water. Circumstances eligible for a prohibition exemption involve the use of aquatic pesticides for purposes of protecting public health and safety (e.g., vector control, drinking water protection) and ecological integrity (e.g., fisheries management, aquatic invasive species control).

The proposed Substitute Environmental Documentation (SED) for the Pesticide Basin Plan Amendment and proposed Basin Plan language were previously available for a 45-day public comment period beginning March 21, 2011, and written comments were due by May 13, 2011. In addition, two public hearings were held during the comment period, at which oral comments were also taken. Written comments received and Water Board staff's responses to those comments may be viewed and downloaded from the Lahontan Water Board's website at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/index.shtml#draft under the "Pesticide Basin Plan Amendment – Comments Received" and "Response to Comments" headings. At the same website, Water Board staff has posted revised proposed Basin Plan language, and revised SED for your review.

The purpose of recirculating these documents is to solicit public input on modifications to the SED and the proposed Basin Plan language that were logical outgrowths of comments received. Water Board staff considered public comments and realized that some key changes to the proposed language were necessary. The scope of this recirculation for public comments is limited to changes to the documents since it was last sent out for public review on March 21. The Water Board will not be considering additional comments on those unchanged parts of the SED and proposed Basin Plan language already subject to a 45-day review period.

Specifically, the language in Chapter 4 of the Basin Plan that discusses the proposed waste discharge prohibition and the exemption criteria required modification to allow for the potential use of other lower toxicity slow-release systemic aquatic pesticides in addition to allowing slow-release larvicides. For pesticides other than larvicides, the previously proposed language limited the duration of the treatment event to one-week. A one-week time limitation may have precluded the potential use of slow-release pesticides, which may require presence at effective concentrations in the water column beyond a one-week duration to achieve desired project goals. The modified language allows for the potential use of these slow-release compounds,

California Environmental Protection Agency

but requires that the treatment event be limited to the shortest possible time and confined to the smallest area necessary for project success.

The Water Board requests that you review the proposed changes to the draft documents and provide us with your written comments on those changes no later than **November 14, 2011 at 12 p.m.** Documents for review are available at the Lahontan Water Board's website at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/index.shtml#draft under the "Pesticide Basin Plan Amendment – Revised Draft Documents Provided for Public Comments" heading. Comments received after November 14, 2011 may not be given full consideration in preparation of the recommended Basin Plan Amendment to be presented to the Board for adoption. We anticipate that this item will be considered by the Board within the next few months, and you will receive a separate Notice of Public Hearing to announce the exact location and date of this hearing.

If you prefer a hardcopy of the draft documents, please contact Amber Wike at (530) 542-5400 or at awike@waterboards.ca.gov.

Comments may be sent to:

Lahontan Regional Water Quality Control Board
c/o Daniel Sussman and Mary Wagner
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150

To submit comments via email, or if you have any questions, please contact either Mary Wagner at mfwagner@waterboards.ca.gov or (530) 542-5425 or Daniel Sussman at dsussman@waterboards.ca.gov or (530) 542-5466.



Douglas F. Smith
Manager of Planning and Restoration Division

Date: September 30, 2011